

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

REV. J. C. DUCKWORTH

PLAINTIFF

v.

NO. 2:09CV215-P-A

TIMOTHY JOHNSON

DEFENDANT

FINAL JUDGMENT

The court has considered the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated December 17, 2009, and the January 20, 2010, objections to the Report and Recommendation. The Magistrate Judge recommended dismissal of this case for want of subject matter jurisdiction, finding that the court has no jurisdiction either through federal question or diversity of citizenship. Duckworth's objection addresses only the minimum jurisdictional amount in controversy to sustain a diversity case, not whether all the parties have diverse citizenship. The court holds therefore that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated December 17, 2009, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the instant case is **DISMISSED** for want of subject matter jurisdiction.
3. That the plaintiff's motion [5] for a hearing is **DISMISSED** in light of this ruling.
4. That this case is **CLOSED**.

THIS, the 22nd day of February, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE